EXHIBIT A

1 2			Claim Language (Disputed Terms in Bold)	Plaintiff's Proposed Construction and Evidence in Support	Defendant's Proposed Construction and Evidence in Support
3		1	Censored	Censored	Censored
4			Found in claim numbers:	PROPOSED CONSTRUCTION: "control what is said in a group"	PROPOSED CONSTRUCTION: No separate construction necessary.
5			'657 Patent: 203,	S 1	
6			209, 215, 221 [term appears in	INTRINSIC EVIDENCE:	INTRINSIC EVIDENCE:
7			independent claim 189 and dependent	'245, 8:36-41; 42-44;	'245, 8:36-50, 10:15-21 ¹
8			claims 202, 208, 214, and 220]	IPR2016-01159, Final Written	'356 patent prosecution, 10/16/2012 Final Rejection, at 3-4
9				Decision (Paper 52), at 10	'657 patent prosecution, 4/17/2012
10				EXTRINSIC EVIDENCE:	Declaration of Prof. Lee A. Hollaar, at 2-4; 9/27/2007 Interview
11				Windy City intends to rely on expert testimony in the form of a	Summary, at Continuation Sheet; 12/17/2008 Interview Summary, at
12				declaration from Dr. Mark Jones regarding this term, including how a	Continuation Sheet '245 patent prosecution, 12/3/2010
13				person having ordinary skill in the art would have understood this	Pre-Appeal Brief Request for Review, at 2-3
14				claim phrase in light of the intrinsic and extrinsic evidence, and	EXTRINSIC EVIDENCE:
15				responding to any evidence offered by Facebook.	Facebook may rely upon expert testimony from Stephen Gray
16					responding to any evidence offered by Windy City.
17		the 1	PTAB for this term und	ent: Plaintiff's proposed construction is er the <i>Phillips</i> standard. Plaintiff does	
18			ies' proposal would be		
19			endant's impact State uningful impact on the n	ment: Defendant does not believe this nerits of this case.	proposed construction will have any
20		2	The first user	The first user identity is	The first user identity is
20			identity is individually	individually censored from sending data in the	individually censored from sending data in the
21			censored from sending data in the	communications	communications
22			communications	PROPOSED CONSTRUCTION: "control of data sent by the first	PROPOSED CONSTRUCTION: No construction necessary.
23			Found in claim numbers:	user identity, individually, and is not limited to data suppressed based	
24 25			'657 Patent: 189	on the content of those data or by a moderator"	
25 26				INTRINSIC EVIDENCE:	INTRINSIC EVIDENCE:
20					

¹ For purposes of this filing, the parties may cite to the '245 patent specification to represent the disclosures common to the shared written description of the '245 and '657 patents.

JOINT CLAIM CONSTRUCTION AND PREHEARING STATEMENT

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1 2		Claim Language (Disputed Terms in Bold)	Plaintiff's Proposed Construction and Evidence in Support	Defendant's Proposed Construction and Evidence in Support
3		- 3.4)	'657, 8:10-19;	'245, 8:36-50, 10:15-21
4			IPR2016-01159, Final Written Decision (Paper 52), at 10.	'356 patent prosecution, 10/16/2012 Final Rejection, at 3-4
5				'552 patent prosecution, 8/1/2011 Amendment and Response, at 19
6 7			EXTRINSIC EVIDENCE: Windy City intends to rely on	'657 patent prosecution, 4/17/2012 Declaration of Prof. Lee A. Hollaar,
8			expert testimony in the form of a declaration from Dr. Mark Jones	at 2-4; 7/20/2011 Response, at 2
9			regarding this term, including how a person having ordinary skill in the art would have understood this	'245 patent prosecution, 12/3/2010 Pre-Appeal Brief Request for Review, at 2-3
10			claim phrase in light of the intrinsic and extrinsic evidence, and	EXTRINSIC EVIDENCE:
11 12			responding to any evidence offered by Facebook.	Facebook may rely upon expert testimony from Stephen Gray
13				responding to any evidence offered by Windy City.
14	the	PTAB for this term und	ent: Plaintiff's proposed construction is er the <i>Phillips</i> standard. Plaintiff does in	
15	Def	ties' proposal would be fendant's Impact State gedly infringing activity	ment: If the Defendant's proposed con	struction is adopted, the scope of
16	3	Determining that	Determining that the first user	Determining that the first user
17		the first user	identity is censored from the	identity is censored from the
18		identity is censored from the sending of	sending of the data presenting the [video/audio/graphic/multimedia]	sending of the data presenting the [video/audio/graphic/multimedia]
		the data presenting the	PROPOSED CONSTRUCTION:	PROPOSED CONSTRUCTION:
19			No separate construction necessary.	determining that the first user identity is not permitted to send the
20		Found in claim		data presenting the [video / audio / graphic / multimedia] because the
21		numbers:		type of data is [video / audio / graphic / multimedia]
22		'657 Patent: 203, 209, 215, 221		
23		, -, -	INTRINSIC EVIDENCE:	INTRINSIC EVIDENCE:
24			'657, 8:10-19	'657, 8:10-19
25			'657 Patent, claims 189 and 204	'356 patent prosecution, 10/16/2012 Final Rejection, at 3-4
2627			IPR2016-01155, Transcript of Oral Hearing (Paper 62), at 8-11	'552 patent prosecution, 9/16/2010
28			IPR2016-1159 Final Written	Fax from Trzyna to Winder, at 2; 10/26/2010 Fax Trzyna to Winder,

		Language ed Terms in	Plaintiff's Proposed Construction and Evidence in Support	Defendant's Proposed Construction and Evidence in Support
			Decision (Paper 52), at 44-47	at 2
			EXTRINSIC EVIDENCE: Windy City intends to rely on	'657 patent prosecution, 4/17/2012 Declaration of Prof. Lee A. Hollaar, at 2-4; 12/17/2008 Interview Summary, at Continuation Sheet
			expert testimony in the form of a declaration from Dr. Mark Jones	IPR2016-1159 Final Written
			regarding this term, including how a person having ordinary skill in the art would have understood this	Decision at 44-47; IPR2016-1159 Suppl. Patent Owner Response at 9- 10; Transcript of Oral Hearing,
			claim phrase in light of the intrinsic	IPR2016-1159 (Paper 51), at 9-11
			and extrinsic evidence, and responding to any evidence offered by Facebook.	IPR2016-01157 Final Written Decision (Paper 47), at 10-13
				IPR2016-01067 Final Written
				Decision (Paper 65), at 38-39
				IPR2016-01156 Institution Decision (Paper 7), at 25
				EXTRINSIC EVIDENCE:
				Facebook may rely upon expert
				testimony from Stephen Gray responding to any evidence offered by Windy City.
				See also Soque Holdings (Berbuda
				Ltd. v. Keyscan, Inc., 2010 WL 2292316 (N.D. Cal. Jun. 7, 2010) (Patel, J.).
			ent: Facebook's proposed construction	is not case-dispositive. Even if the
j	including wit	h respect to Fa	ook's proposed construction, factual iss acebook's infringement. Facebook's pro Windy City contends that the presumpti	oposed construction was not one
adopted by the PTAB and Windy City contends that the presumption that claim terms carry their plain and ordinary meaning as understood by a person of ordinary skill in the art at the time of the invention applies here.				
]	Defendant's		ment: If the Defendant's proposed con	
	have addition of the '657 page.		its defense that Facebook does not infr	inge of the remaining asserted claims
	4 Real tir	ne / real-	Real time / real-time	Real time / real-time

4	Real time / real-	Real time / real-time	Real time / real-time
	time		
		PROPOSED CONSTRUCTION:	PROPOSED CONSTRUCTION:
	Found in claim numbers:	No construction necessary	"immediately, without being stored on a server"
	'245 Patent: 19 '657 Patent: 189	INTRINSIC EVIDENCE:	INTRINSIC EVIDENCE:
		The Abstract, Field of the	'245, 1:47-50, 2:28-34, 5:19-25,

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1		Claim Language (Disputed Terms in	Plaintiff's Proposed Construction and Evidence in Support	Defendant's Proposed Construction and Evidence in
2		Bold)	• •	Support
3			Invention, Background of the Invention sections;	Abstract, Title
4			'245, 2:28-34; 8:42-44; 8:43-50;	'245 patent prosecution, 3/12/2012 Request for Reconsideration, at 4-5;
5			14:29-32; 19:40-48.	7/5/2012 Amendment After Final Rejection and Response, at 2-3
6			IPR2016-01156 (Paper 1) at 19, 41, 54, 58, 59, 61, 62	'657 patent prosecution, 3/21/2005 Amendment and Response, at 181;
7			IPR2016-01156 (Paper 31), at 20	4/17/2012 Declaration of Prof. Lee A. Hollaar, at 2-3
8 9			IPR2016-01156, Exhibits 1003, 1005, 1008.	'552 patent prosecution, 9/18/2008 Amendment and Response, at 16-
10				17; 8/1/2011 Amendment and Response; 3/23/2012 Amendment
11			EXTRINSIC EVIDENCE:	and Request for Reconsideration, at 26-29
12			Windy City intends to rely on expert testimony in the form of a declaration from Dr. Mark Jones	IPR2016-01067 Final Written Decision (Paper 65), at 33
13			regarding this term, including how a person having ordinary skill in the	IPR2016-01156 Patent Owner
14			art would have understood this claim phrase in light of the intrinsic	Preliminary Response (Paper 6), at 23
15			and extrinsic evidence, and responding to any evidence offered	EXTRINSIC EVIDENCE:
16 17			by Facebook.	Facebook may rely upon expert testimony from Stephen Gray
18				responding to any evidence offered by Windy City.
19	PI	aintiff's Impact Stateme	ent: Facebook's proposed construction	is not case-dispositive. Even if the
	Co	ourt were to adopt Facebo	ook's proposed construction, factual iss	ues would remain in this case,
20			acebook's infringement. Facebook's pr Windy City contends that the presumpt	
21	an		derstood by a person of ordinary skill	
22	D	efendant's Impact State	ment: If the Defendant's proposed con	struction is adopted, Facebook will
23	ha 5	Pointer	its defense that Facebook does not infr Pointer	Pointer asserted claims.
24		Found in claim	PROPOSED CONSTRUCTION:	PROPOSED CONSTRUCTION:
25		numbers:	"a link or reference to a file, data, or service"	"information that contains the location of some other data"
26		'245 Patent: 19, 22	INTRINSIC EVIDENCE:	INTRINSIC EVIDENCE:
27			'245, 5:36-41	'245, 5:35-41, 7:44-55, 9:7-15, 10:45-11:1, Fig. 25
28	<u> </u>			- , -6:

1			Claim Language (Disputed Terms in	Plaintiff's Proposed Construction and Evidence in Support	Defendant's Proposed Construction and Evidence in
2			Bold)	• •	Support Support
3				IPR2016-01155, Final Written Decision (Paper 63), at 10	'657 patent prosecution, 3/21/2005 Amendment and Response;
4				EXTRINSIC EVIDENCE:	4/17/2012 Declaration of Prof. Lee A. Hollaar, at 4-5
5				Windy City intends to rely on	'552 patent prosecution, 1/19/2010
6				expert testimony in the form of a declaration from Dr. Mark Jones	Amendment and Response at 16-17
7				regarding this term, including how a person having ordinary skill in the art would have understood this	'552 patent prosecution, 9/16/2010 Fax from Trzyna to Winder, at 2-3;
8				claim phrase in light of the intrinsic and extrinsic evidence, and	10/26/2010 Fax Trzyna to Winder, at 2
9				responding to any evidence offered by Facebook.	'245 patent prosecution, 3/12/2012
10 11					Request for Reconsideration, at 5-6; 7/5/2012 Amendment After Final Rejection and Response, at 20-21
12					IPR2016-01156 Institution
13					Decision (Paper 7), at 3-4, 23 EXTRINSIC EVIDENCE:
14					
15					Microsoft Computer Dictionary, 3 rd Edition (1997) (definitions of "pointer", "URL" and "Uniform
16					Resource Identifier")
17 18					Facebook may rely upon expert testimony from Stephen Gray responding to any evidence offered by Windy City.
19		Plai	ntiff's Impact Stateme	ent: Plaintiff's proposed construction is	s the same construction adopted by
20			PTAB for this term und ies' proposal would be	er the <i>Phillips</i> standard. Plaintiff does to case-dispositive.	not believe that adopting either of the
		Defe	endant's Impact State	ment: If the Defendant's proposed con	struction is adopted, the scope of
21	_	alleg	gedly infringing activity Other programs	may be reduced. Other programs	Other programs
22		0	. 0	•	
23			Found in claim numbers:	PROPOSED CONSTRUCTION: No construction necessary; not indefinite.	PROPOSED CONSTRUCTION: Indefinite.
24			'245 Patent: 19 '657 Patent: 189	macmine.	See, e.g. Nautilus, Inc v. Biosig Instruments, Inc., 134 S.Ct. 2120
25			107		(2014).
26				INTRINSIC EVIDENCE:	INTRINSIC EVIDENCE:
2728				The Abstract, Field of the	'245, 2:35-37, 5:19-35, 5:53-56,

1		Claim Language (Disputed Terms in	Plaintiff's Proposed Construction and Evidence in Support	Defendant's Proposed Construction and Evidence in
2		Bold)	••	Support
3			Invention, Background of the Invention sections;	7:56-60, 8:11-14, Figs. 1, 2, Abstract
4			'245, 2:35-43; 2:44-50; 4:53-59; 4:60-64; 7:56-60; 8:10-18; 8:62-63;	Transcript of Oral Hearing, IPR2016-1159 (Paper 51), at 24-26,
5			32; 5:50-51; and 7:29-31.	35-38, 57-72
6			FIG. 1;	EXTRINSIC EVIDENCE:
7 8			All independent claims in the Patents-in-Suit;	Facebook may rely upon expert testimony from Stephen Gray that this claim language in context fails
9			The prosecution history of the Patents-in-Suit, including '356	to inform, with reasonable certainty, those skilled in the art about the scope of the claimed
10 11			patent prosecution, 8/3/2011 Amendment and Response; 2/3/2012 Office Action at 6.	invention.
12			IPR2016-01156 Facebook Petition	
13			for <i>Inter Partes</i> Review (Paper 1), at 11, 12, 29-31; Facebook Reply	
14			(Paper 31), at 17	
15			IPR2016-01157 Facebook Petition for <i>Inter Partes</i> Review (Paper 1), at 20, 29-31.	
16			IPR2016-01158 Facebook Petition	
17 18			for <i>Inter Partes</i> Review (Paper 1), at 22-23.	
19			IPR2016-01156, Facebook Petition	
20			for <i>Inter Partes</i> Review (Paper 1) at Ex. 1002 (Levian Decl.) at ¶¶ 68-74.	
21			IPR2016-01156. Transcript of Oral	
22			Hearing (Paper 51), at 23:4-25, 24:20-25:8, 25:16-26:6, 34:1-9,	
23			35:24-37:20.	
24			EXTRINSIC EVIDENCE:	
25			Windy City intends to rely on	
26			expert testimony in the form of a declaration from Dr. Mark Jones	
27			regarding this term, including how a person having ordinary skill in the	
28	L		person having ordinary skill in the	

1 2		Claim Language (Disputed Terms in Bold)	Plaintiff's Proposed Construction and Evidence in Support	Defendant's Proposed Construction and Evidence in Support
3 4 5			art would have understood this claim phrase in light of the intrinsic and extrinsic evidence, and responding to any evidence offered by Facebook.	
6 7	ass ma at t Fac	serted claim in this case, ajority of Windy City's in the United States Patent of cebook's inter partes rev	ent: Determining that this claim term is and as such may be case-dispositive. To independent claims included in numerous Office, that have been licensed to other wiew challenges.	he claim term is present in the us patents that have been prosecuted es, and that were subject to
8	De	fendant's Impact State serted claims will be inva	ment: If the Defendant's proposed con	struction is adopted, all remaining
9	7	Obtaining an agent with an ability to	Obtaining an agent with an ability to present the pre-stored	Obtaining an agent with an ability to present the pre-stored
0		present the pre- stored data	data	data
2		Found in claim numbers:	PROPOSED CONSTRUCTION: No construction necessary; not indefinite.	PROPOSED CONSTRUCTION: Indefinite.
3 4		'245 Patent: 19	indermine.	See, e.g., IPXL Holdings, L.L.C. v. Amazon.com, Inc., 430 F.3d 1377 (Fed. Cir. 2005)
5			INTRINSIC EVIDENCE:	INTRINSIC EVIDENCE:
6			'245, 7:34-43; 10-55-11:3;	'245, 7:34-55, claim 19, Fig. 6
7			FIGs. 6, 25, 26;	EXTRINSIC EVIDENCE:
			The prosecution history of the Patents-in-Suit, including '245 patent prosecution, 4/5/2013 Notice	Facebook may rely upon expert testimony from Stephen Gray that this claim language in context fails to inform, with reasonable
			of Allowance.	certainty, those skilled in the art about the scope of the claimed
			IPR2016-01156 Facebook Petition for <i>Inter Partes</i> Review (Paper 1),	invention.
2			at 14, 15, 42-55.	
3 4			IPR2016-01156, Facebook Petition for <i>Inter Partes</i> Review (Paper 1) at	
5			Ex. 1002 (Lavian Decl) at ¶¶ 46-47, 91-102.	
5			EXTRINSIC EVIDENCE:	
7 3			Windy City intends to rely on expert testimony in the form of a declaration from Dr. Mark Jones	

	Claim Language (Disputed Terms in Bold)	Plaintiff's Proposed Construction and Evidence in Support	Defendant's Proposed Construction and Evidence in Support
		regarding this term, including how a person having ordinary skill in the	
		art would have understood this	
		claim phrase in light of the intrinsic and extrinsic evidence, and	
		responding to any evidence offered	
		by Facebook.	
F	 Plaintiff's Impact Statem	lent: Determining that this claim term is	s indefinite would invalidate all
a	asserted claims of the '245	patent and thus may be case-dispositiv	e for the '245 patent. This claim te
		ent claims throughout Windy City's pate e, that have been licensed to others, and	
	partes review challenges.	e, that have been heelised to others, and	that were subject to Pacebook's th
I	Defendant's Impact State	ement: If the Defendant's proposed con	struction is adopted, the remaining
8	asserted claims in the '245 Participator	Participator computer	Participator computer
0	computer	rarticipator computer	Farticipator computer
		PROPOSED CONSTRUCTION:	PROPOSED CONSTRUCTIO
	Found in claim	No construction necessary; not	This term is governed by 35 U.S
	numbers:	governed by 35 U.S.C. §112(6); not	§ 112(6).
	'245 Patent: 19	indefinite.	For claim 19 of the '245 patent, t
		This term is not governed by 35	function of the claimed
		U.S.C. § 112(6). The structure is the	"participator computer" includes for the second participator
		participator computer recited	computer: internally determining
		in the claims.	whether or not the second
		If this claim term was subject to 35	participator computer can present
		U.S.C. § 112(6), which it is not, the	the pre-stored data
		function includes being	Because the specification disclos
		communicatively connected to the computer system, and internally	no structure and algorithm for
		determining whether or not the	performing the claim functions, t term is indefinite.
		second participator computer can	term is macrimic.
		present the pre-stored data, and the	
		corresponding structure includes, <i>e.g.</i> , the following: the participator	
		I P O THE IOHOW/ING. THE DATHCINATOR	•

INTRINSIC EVIDENCE:

'245, 1:17-26, 2:6-10, 2:21-27, 2:35-49, 5:1-41, 5:53-56, 7:56-60, 8:59-61, 9:46-49, Figs. 1, 2, Abstract

EXTRINSIC EVIDENCE:

Facebook may rely upon expert

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computers of FIG. 1; FIG. 6; FIGs.

7-34; '245 at 1:19-25; 2:6-10; 2:21-25; 2:30-34; 2:35-43; 2:44-49; 4:60-

5:41; 7:34-55; 10-55-11:3, the code

embodiment; the code submitted

with the patent application for the

Java embodiment, and equivalents

submitted with the patent

application for the Tellnet

INTRINSIC EVIDENCE:

thereof.

1		Claim Language (Disputed Terms in	Plaintiff's Proposed Construction and Evidence in Support	Defendant's Proposed Construction and Evidence in
2		Bold)	All independent claims in the	Support testimony from Stephen Gray that
3			All independent claims in the Patents-in-Suit;	this claim language in context fails to inform, with reasonable
4			The Abstract, Field of the	certainty, those skilled in the art
5			Invention, and Background of the Invention sections;	about the scope of the claimed invention.
6			The specification of the Patents-in-	
7			Suit, <i>e.g.</i> the passages described as corresponding structure above.	
8			FIG. 1;	
9			IPR2016-01156 Facebook Petition	
10			for <i>Inter Partes</i> Review (Paper 1), passim; Facebook Reply (Paper 31),	
11			at 17.	
12			IPR2016-01157 Facebook Petition	
13			for <i>Inter Partes</i> Review (Paper 1), passim.	
14			IPR2016-01158 Facebook Petition	
15			for <i>Inter Partes</i> Review (Paper 1), passim.	
16			IPR2016-01158 Facebook Petition	
17			for <i>Inter Partes</i> Review (Paper 1), passim.	
18			IPR2016-01156. Transcript of Oral	
19			Hearing (Paper 51), at 21:13-22:17, 25:11-26:3, 37:10-14.	
20			EXTRINSIC EVIDENCE:	
21			EATRINSIC EVIDENCE:	
22			Windy City intends to rely on expert testimony in the form of a	
23			declaration from Dr. Mark Jones regarding this term, including how a	
24			person having ordinary skill in the art would have understood this	
25			claim phrase in light of the intrinsic and extrinsic evidence, and	
26			responding to any evidence offered by Facebook.	
27	Plai	ntiff's Impact Stateme	ent: Determining that this claim term is	s indefinite would invalidate all

Plaintiff's Impact Statement: Determining that this claim term is indefinite would invalidate all asserted claims of the '245 patent and thus may be case-dispositive for the '245 patent. This claim term appears in many other patent claims throughout Windy City's patents that have been prosecuted at the

1 2		Claim Language (Disputed Terms in Bold)	Plaintiff's Proposed Construction and Evidence in Support	Defendant's Proposed Construction and Evidence in Support
		Jnited States Patent Office	, that have been licensed to others, and	
3		oartes review challenges. Defendant's Impact State	ment: If the Defendant's proposed con	struction is adopted, the asserted
4		laims of the '245 patent w		istraction is adopted, the asserted
5	9	computer system	computer system	computer system
6		Found in claim numbers:	PROPOSED CONSTRUCTION: No construction necessary; not	PROPOSED CONSTRUCTION: Indefinite
7 8		'245 Patent: 19 '657 Patent: 189	governed by 35 U.S.C. §112(6); not indefinite.	This term is governed by 35 U.S.C. § 112(6).
9			This term is not governed by 35 U.S.C. § 112(6). The structure is the	'245 Patent, Claim 19 Function:
10			computer system recited in the claims.	(1) including a computer and a database which serves as a repository of tokens for other
11			'245 Patent, Claim 19	programs to access, thereby affording information to each of the
12			If this claim term was subject to 35	participator computers which are
13			U.S.C. § 112(6), which it is not, the function includes the communicating private messages,	otherwise independent of each other; and (2) communicating the
14			and the corresponding structure includes, <i>e.g.</i> , the following: the	private message to a second of the plurality of participator computers.
15			computer system depicted in FIGs. 1, 2, 3, 6; the following structure	Structure: Because the specification discloses
16			described at '245, 1:19-25; 2:3-5; 2:6-10; 2:11-14; 2:15-17; 2:18-27;	no sufficient structure including algorithm for performing the claim
17			2:28-34; 2:35-43; 2:44-49; 4:60- 5:41, 7:56-8:32, the code submitted	functions, this term is indefinite.
18			with the patent application for the Tellnet embodiment; the code	<u>'657 Patent, Claim 189</u>
19			submitted with the patent	Function: (1) including a controller computer
20			application for the Java embodiment, and equivalents	and a database which serves as a repository of tokens for other
21			thereof.	programs to access, thereby
22			'657 Patent, claim 189 If this claim term was subject to 35	affording information to each of a plurality of participator computers
23			U.S.C. § 112(6), which it is not, the	which are otherwise independent of each other, and (2) facilitating
24			function includes including a controller computer and a database	handling the Internet URL via the computer system so as to find
25			which serves as a repository of tokens for other programs to access,	content specified by the Internet URL.
26			thereby affording information to each of a plurality of participator	Structure:
27			computers which are otherwise independent of each other, and	Because the specification discloses no sufficient structure including
28			facilitating handling the Internet	algorithm for performing the claim

1		Claim Language (Disputed Terms in	Plaintiff's Proposed Construction and Evidence in Support	Defendant's Proposed Construction and Evidence in
2		Bold)	• •	Support
3			URL via the computer system so as to find content specified by the	functions, this term is indefinite.
4			Internet URL, and the corresponding structure includes,	'657 Patent, Claims 203, 209, 215
5			<i>e.g.</i> , the following: the computer system depicted in FIGs. 1, 2, 3, 6,	and 221 Function: The function includes the
6			25, 26; the following structure described at '245, 1:19-25; 2:3-5;	function described above for claim 189 and the further function:
7			2:6-10; 2:11-14; 2:15-17; 2:18-27; 2:28-34; 2:35-43; 2:44-49; 4:54-59;	accessing via any of two client software alternatives, wherein both of the client software alternatives
8			4:60-5:41, 5:36-41; 7:44-55; 8:42-44; 8:59-67; 9:5-15; 10:45-11:3; the	allow respective user identities to be recognized and allow at least
9			code submitted with the patent application for the Tellnet	some of the participator computers to form at least one group in which
10			embodiment; the code submitted with the patent application for the	members can send communications and receive communications.
11			Java embodiment, and equivalents thereof.	Structure:
12			2657 Dataut alaina 202 200 215	Because the specification discloses no sufficient structure including
13			'657 Patent, claims 203, 209, 215 and 221	algorithm for performing the claim functions, this term is indefinite.
14			If this claim term was subject to 35 U.S.C. § 112(6), which it is not, the	functions, this term is indefinite.
15			function includes the function described above for claim 189 and	INTRINSIC EVIDENCE
16			the further function: accessing via any of two client software	'245 col. 1:17-26, 2:44-49, 4:60-67,
17			alternatives, wherein both of the client software alternatives allow	5:1-4, 5:14-35, 5:42-56, 8:12-15, Figs. 1, 2, Abstract
18			respective user identities to be recognized and allow at least some	EXTRINSIC EVIDENCE
19			of the participator computers to form at least one group in which	Facebook may rely upon expert testimony from Stephen Gray that
20			members can send communications and receive communications, and	this claim language in context fails to inform, with reasonable
21			the corresponding structure includes, <i>e.g.</i> , the following: the	certainty, those skilled in the art about the scope of the claimed
22			computer system depicted in FIGs.	invention.
23			1, 2, 4, 5, 6; the following structure described at '245, 1:19-25; 2:3-5;	
24			2:6-10; 2:11-14; 2:15-17; 2:18-27; 2:28-34; 2:35-43; 2:44-49; 4:60-	
25			5:41, 7:56-8:32, the code submitted with the patent application for the	
26			Tellnet embodiment; the code	
27			submitted with the patent application for the Java	
			embodiment, and equivalents	
28			thereof.	

1	Claim Language (Disputed Terms in	Plaintiff's Proposed Construction and Evidence in Support	Defendant's Proposed Construction and Evidence in
2	Bold)		Support
3 4		Alternatively: "a system that includes at least one computer"	
5			
6		INTRINSIC EVIDENCE:	
7		The Abstract, Field of the Invention, and Background of the	
8		Invention sections;	
9		The specification of the Patents-in-Suit, <i>e.g.</i> the passages described as corresponding structure above.	
11		FIG. 1;	
12		'245 Patent, claim 19; '657 Patent, claim 189;	
13			
14		IPR2016-01156, Facebook Petition for <i>Inter Partes</i> Review (Paper 1), at 5, 8, 16, 17, 26, 28, 29, 45, 51,	
15		59.	
16		IPR2016-01156, Facebook Reply (Paper 31), at 20	
17		IPR2016-01156. Transcript of Oral	
18 19		Hearing (Paper 51), at 41:24-42:2 and 19:21-20:11	
		EXTRINSIC EVIDENCE:	
20			
21		Sun Microsystems Inc v. Network Appliance, 2009 U.S. Dist. LEXIS	
22		48209 (N.D. Cal., May 29, 2009).	
23		IEEE 100, The Authoritative Dictionary of IEEE Standards	
24		Terms, 7th Ed.	
25		Windy City intends to rely on expert testimony in the form of a	
26		declaration from Dr. Mark Jones	
27		regarding this term, including how a person having ordinary skill in the art would have understood this	
28		claim phrase in light of the intrinsic	

	Claim Language (Disputed Terms in Bold)	Plaintiff's Proposed Construction and Evidence in Support	Defendant's Proposed Construction and Evidence in Support	
		and extrinsic evidence, and responding to any evidence offered by Facebook.		
Plaintiff's Impact Statement: Determining that this claim term is indefinite would invalidate each asserted claims in this case, as this term appears in each of the asserted claims and in many independent				
patent claims throughout Windy City's patents, and thus may be case-dispositive. The claim term is present in many of Windy City's independent claims included in numerous patents that have been				
pre	sent in many of Windy	City's independent claims included in r	numerous patents that have been	
pres pro Fac	sent in many of Windy (secuted at the United St sebook's <i>inter partes</i> rev	City's independent claims included in rates Patent Office, that have been licen view challenges.	numerous patents that have been sed to others, and that were subject	
pro pro Fac	sent in many of Windy (secuted at the United Statebook's <i>inter partes</i> rev	City's independent claims included in rates Patent Office, that have been licenview challenges. ment: If the Defendant's proposed con	numerous patents that have been sed to others, and that were subject	
pro pro Fac	sent in many of Windy of week at the United State of Stat	City's independent claims included in rates Patent Office, that have been licenview challenges. ment: If the Defendant's proposed con	numerous patents that have been sed to others, and that were subject t	
pro pro Fac	sent in many of Windy of week at the United State of Stat	City's independent claims included in rates Patent Office, that have been licenview challenges. ment: If the Defendant's proposed con	numerous patents that have been sed to others, and that were subject	
pre pro Fac Def	sent in many of Windy of week at the United State of Stat	City's independent claims included in rates Patent Office, that have been licenview challenges. ment: If the Defendant's proposed con	numerous patents that have been sed to others, and that were subject	